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2                   **UNITED STATES DISTRICT COURT**  
3                   **DISTRICT OF NEVADA**

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5                   BOARD OF TRUSTEES OF THE  
EMPLOYEE PAINTERS TRUST, *et al.*,

6                   Plaintiffs,

7                   v.

8                   OLYMPUS CONSTRUCTION LV, INC., *et*  
*al.*,

9                   Defendants.

10  
11                   Case No. 2:24-cv-01023-APG-NJK

12                   **Scheduling Order**

13                   [Docket No. 44]

14                   Pending before the Court is the parties' joint status report and proposed scheduling order.  
15 Docket No. 44.

16                   On December 27, 2024, Chief United States District Judge Andrew P. Gordon ordered a  
17 stay of this case pending the parties' settlement conference. Docket No. 38. On February 4, 2025,  
18 a settlement conference was held before United States Magistrate Judge Maximiliano D.  
19 Couvillier, III, and the parties did not settle. Docket No. 43. Per Chief Judge Gordon's order, the  
20 stay automatically lifted after the settlement conference. Docket No. 38 at 1.

21                   The parties now seek a discovery period that concludes 180 days after the submission of  
22 their joint report, but fail to demonstrate why they need more time than they already had for  
23 discovery prior to the entry of the stay. Further, the discovery plan seeks to reopen and extend the  
24 deadline to amend pleadings which expired on November 26, 2024, a month before the stay was  
25 entered. Docket No. 47 at 7; *see also* Docket No. 22 at 1. When a request for relief from a case  
26 management deadline is made after the deadline has expired, an additional showing of excusable  
neglect must be made. *Branch Banking & Trust Co. v. DMSI, LLC*, 871 F.3d 751, 764-65 (9th  
Cir. 2017); *see also* Local Rule 26-3. The parties fail to mention, let alone address, the standard  
to reopen the subject deadline.

1 Accordingly, the parties' proposed discovery plan is **DENIED**. Docket No. 44. Case  
2 management deadlines will be calculated to account for the time left for discovery prior to the stay,  
3 *see* Docket No. 35, and are hereby **SET** as follows:

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- Initial experts: March 25, 2025
- 5 • Rebuttal experts: April 25, 2025
- 6 • Discovery cutoff: May 26, 2025
- 7 • Dispositive motions: June 25, 2025
- 8 • Joint proposed pretrial order: July 25, 2025, 30 days after resolution of dispositive  
9 motions, or by further Court order

10 IT IS SO ORDERED.

11 Dated: February 25, 2025

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13 Nancy J. Koppe  
United States Magistrate Judge

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